THE HONOURABLE SRI JUSTICE
A.GOPAL REDDY

and

THE HONOURABLE SRI JUSTICE
P.SWAROOP REDDY

WP Nos.18841, 18842, 18843 and
18848 of 2007

Dt.12-11-2007

WP No.18841/2007

1. Jagannath and three others ..Petitioners

V.

1.The Government of Andhra Pradesh, represented by its Secretary for Irrigation and Command Area Development Project Wing Department, Hyderabad and seven others.
..Respondents.

WP No.18842/2007:

Krishna Reddy ..Petitioner

V.

1.The Government of Andhra Pradesh, represented by its Secretary for Irrigation and Command Area Development Project Wing Department, Hyderabad and seven others.
..Respondents.

WP NO.18843/2007:

Pelle Govindu Reddy ..Petitioner

V.

1.The Government of Andhra Pradesh, represented by its Secretary for Irrigation and Command Area Development Project Wing Department, Hyderabad and seven others.

..Respondents.

WP NO.18848/2007:

1. K. Veera Reddy and another ..Petitioners

V.

1.The Government of Andhra Pradesh, represented by its Secretary for Irrigation and Command Area Development Project Wing Department, Hyderabad and seven others.
..Respondents.

THE HONOURABLE SRI JUSTICE
A.GOPAL REDDY

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P.SWAROOP REDDY

WP Nos.18841, 18842, 18843 and
18848 of 2007

COMMON ORDER: (Per Honourable Sri Justice A.GOPAL REDDY)

All these writ petitions are placed before us at the instance of the orders passed by the learned single Judge of this court.

A learned single Judge of this court while considering WP No.18841/2007 filed for deposit of the amount awarded noticing that their lands have been acquired for Priyadarshini Jurala Project and awards were passed in the year 2004; on reference being made, the Civil Court passed awards in the year 2006; further appeals filed by the Government were dismissed in the year 2006 and EPs were filed before the learned Senior Civil Judge, Gadwal, Mahabubnagar District and the compensation has not been deposited by the State, observed

that since the petitioners-claimants have already approached the executing court by filing EPs for recovery of the awarded amount, they are not entitled to approach this court by way of present writ petitions seeking a direction to deposit the awarded amount to the credit of EPs. It was further observed that even assuming that writ petitions could be entertained in the light of Larger Bench judgment of this court reported in ***B.A. BHAVANI V. LAO, YELURU RESERVOIR PROJECT, PEDDAPURAM***[1], they could be entertained in exceptional cases, where there is abnormal delay in paying EP amount by the respondent/State but not in each and every case routinely. Since a learned single Judge of this court granted an order in favour of similarly placed persons, learned single Judge thought that the issue be considered by a Division Bench of this court and directed the Registry to place the matter before the Honourable the Chief Justice for appropriate orders. Since WP Nos.18842,18843 and 18848 of 2007 have been filed for similar relief, learned single Judge directed to be listed along with WP No.18841/2007.

When the writ petitions are taken up for hearing and admission on the previous date of hearing ie., on 29-10-2007, we direct the Government Pleader for Land Acquisition to find out as to when the amount due under the respective EPs will be deposited by the Land Acquisition Officer, without going into the merits of contentious issues.

Learned Government Pleader, on instructions, submits that Government is required two months time to deposit the awarded amount to the credit of EPs.

While recording the submission of the learned Government

Pleader, we close all the writ petitions. No order as to costs.

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A.GOPAL REDDY, J.

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P.SWAROOP REDDY, J.

Dt.12 –11-2007

KMR

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[1] 2005(3) ALD 233 (LB)